



STATE OF WASHINGTON  
**WASHINGTON STATE BOARD OF HEALTH**

*P.O. Box 47990 • Olympia, Washington 98504-7990*

March 9, 2005

**TO:** Washington State Board of Health Members

**FROM:** Craig McLaughlin, Executive Director

**RE: 2005 LEGISLATION AND COMMUNICATING WITH THE LEGISLATURE**

**Background and Summary:**

From January 10, the first day of session, to March 2, the final day for policy committees to report out bills in the house of origin, State Board of Health staff actively tracked 70 bills and reviewed dozens more to see if they should be tracked. Thirty-three of those bills, addressing 19 policy issues, survived the first cutoff. (See tracking reports attached.). All of these numbers represent an increases over the past few years.

During this time, the Board sent letters to various policy committees expressing a position or otherwise commenting on 21 bills. Board Member Frankie T. Manning testified at a work session of the Joint Committee on Health Disparities. Executive Director Craig McLaughlin presented during three work sessions and testified on bills relating to immunization, physical activity and planning, school drinking water, and on-site septic systems in marine areas. Board staff also participated in extensive discussion with legislators, legislative staff, state agencies, the governor's office and stakeholders to discuss onsite legislation.

All legislative activities were consistent with SBOH Policy 2001-001 as revised by the Board at its January meeting (attached). Activity was tracked on the Board's Bill Watch Web page, which can be found at [www.doh.wa.gov/sboh/Billwatch/2003/billwatch.htm](http://www.doh.wa.gov/sboh/Billwatch/2003/billwatch.htm) (attached).

This agenda item will allow me to discuss the types of legislation that Board staff has been tracking. It will also provide an opportunity for Board members to ask questions, and if necessary, discuss issues related to the Board's process, revisit and clarify Board positions, and provide direction to staff about activities during the remainder of session.

**Recommended Board Action:**

*None.*

## **Discussion**

The Board maintains tracking lists of bill before the Legislature. One list relates to health insurance bills that may have implications for access. Most notable among these is the mental health parity bill, which quickly passed both houses and is likely to be signed by Governor Gregoire. The Board has not formally commented on insurance bills this session.

Another list contains active bills that the Board is tracking because they fit one of the four criteria in SBOH Policy 2001-001. During session, that list had as many as 56 bills on it. March 2 was the last day for policy committees to act on bills in the house of origin—or what is known as first cutoff. At that point, 23 of the bills that had not made it out of the policy committees moved to a third list—the “dead” list. At that point, 33 active bills remained.

Second cutoff is March 7, the last day for bills to move out of the fiscal and transportation committees of the house of origin (unless necessary for the budget). The active list should be shorter and the dead list longer after that point. Updated lists will be distributed at the meeting.

Finally, the Board lists on the Bill Watch page on its Web site any proposed legislation on which the Board has taken a position and communicated with the Legislature. This begins as a subset of the active bill list, but a bill is not removed if technically dead. Copies of the tracking lists and the Billwatch page are attached. The rest of this memo will focus on active bills on the Bill Watch page.

- **Onsite septic systems:** People for Puget Sound drafted legislation requiring local health jurisdictions to establish operation and maintenance (O&M) permitting programs in marine areas of special concerns. The substitute version of the bills—HB 1458 and SB 5431—are much different. They would institute the planning requirements in the draft rules with some changes. Many of bills on the tracking list are there because they relate to Hood Canal but do not have direct bearing on the Board’s work (SHB 1060, SHB 2081, SHB 2086, SHB 2097).
- **School drinking water:** HB 1123 and SB 5029 would require the Board to make rules for contamination of school drinking water by lead, copper, cadmium, and corrosion. A toned down version, SSB 5029, would require lead actions levels and standards for aesthetic issues. The Board would have to consider copper and cadmium. The Board said it could support the Senate substitute, which is the only version still alive.
- **Indoor smoking:** The Board has supported a ban on smoking in public places and local authority to restrict smoking. It has opposed relying on designated smoking areas with ventilation systems, limited access, and physical barriers. Bills reflected both approaches are still alive.
- **Public health financing:** Two bill proposing specific funding methods for public health have not been taken up (SB 5700 and HB 1818). The Board has supported HB 1737, which would set up a committee on public health financing that would include key legislators and others. A Board representative would be a non-voting member.

- **Immunizations:** SSB 5305 would prevent administration of vaccines containing mercury to pregnant women or children under three unless their use conforms to federal guidelines. The secretary of health could waive restrictions in an emergency. The Board opposed an earlier, more restrictive draft.
- **Physical activity and nutrition:** The Board has supported the concept of bills still alive that address school breakfast programs, farmers' market nutrition programs, and the integration of physical activity into urban planning, development and transportation planning.
- **Adult family homes:** Bills in both houses would exempt adult family homes workers from needing a food worker card provided that they complete Department of Social and Health Services training that meets the Board's standards for food worker card training. The Board has worked with DSHS and DOH to propose amendments to strengthen the legislation, with partial success.
- **DOH request legislation:** The Board has supported DOH request legislation to provide more discretion for hepatitis C spending and to use the specialty clinic fee to provide care for children with any disorder identified through the mandatory newborn screening program. Substitute versions of these bills are still alive in the Senate.
- **Study bills:** SSB 5188 would have the Board staff a large committee to reviews all rules, statutes and regulations related to children's environmental health. SSB 5043 would have the Board consult with DOH on a study of the public health impacts of bass harmonics.
- **Other issues that have been before Board:** The Board has also been involved with bills related to the burial of dead animals (SSB 5961), codifying the memorandum of understanding on cruise ship discharges (SHB 1415), expanding access to children's preventive services (SHB 1516), persistent bioaccumulative toxins, specific PBDEs (SHN 1488 and SSB 5515), school nurse staffing (SHB 1494), and diversity in higher education admissions (SSB 5575).

Attachments